

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below by my name;

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor if multiple names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS TO FACILITATE AUTOMATED SOFTWARE INSTALLATION ON REMOTE COMPUTERS OVER A NETWORK

for which a patent application:

☒ is attached hereto.

☐ was filed in the United States on \_ as Application No. \_\_\_\_\_;

☐ with amendment(s) filed on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56, which states in relevant part:

Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section... The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office....

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION |         |                                      |                                                          |
|--------------------------------------------------------------------------------------------|---------|--------------------------------------|----------------------------------------------------------|
| APPLICATION NUMBER                                                                         | COUNTRY | DATE OF FILING<br>(Day, Month, Year) | PRIORITY CLAIMED                                         |
|                                                                                            |         |                                      | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §119(e), of any United States provisional application(s) listed below:

| APPLICATION NUMBER | DATE OF FILING |
|--------------------|----------------|
|                    |                |

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NUMBER | DATE OF FILING | STATUS   |         |           |
|--------------------|----------------|----------|---------|-----------|
|                    |                | PATENTED | PENDING | ABANDONED |
|                    |                |          |         |           |

I hereby appoint Daniel E. Vaughan (Reg. No. 42,199), Edward J. Grundler (Reg. No. 47,615), Hoyt A. Fleming (Reg. No.

41,752) and A. Richard Park (Reg. No. 41,241) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and transact all business in connection with international applications directed to said invention.

Address correspondence to:



Direct telephone calls to:

**Park, Vaughan & Fleming LLP**  
**508 Second Street, Suite 201**  
**Davis, CA 95616**

**22835**  
 PATENT TRADEMARK OFFICE

Edward J. Grundler  
 (530) 759-1663

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |                                              |                                              |                          |
|---|----------------------------------------------|----------------------------------------------|--------------------------|
| 1 | Name and Citizenship                         | James H. Falkner                             | United States of America |
|   | Residence Address                            | 20440 Via Pavisio #G-25, Cupertino, CA 95014 |                          |
|   | Postal Address (if different from Residence) |                                              |                          |
|   | Signature and Date                           | <i>James H. Falkner</i>                      | Date 7/18/01             |
| 2 | Name and Citizenship                         |                                              |                          |
|   | Residence Address                            |                                              |                          |
|   | Postal Address (if different from Residence) |                                              |                          |
|   | Signature and Date                           |                                              | Date                     |
| 3 | Name and Citizenship                         |                                              |                          |
|   | Residence Address                            |                                              |                          |
|   | Postal Address (if different from Residence) |                                              |                          |
|   | Signature and Date                           |                                              | Date                     |
| 4 | Name and Citizenship                         |                                              |                          |
|   | Residence Address                            |                                              |                          |
|   | Postal Address (if different from Residence) |                                              |                          |
|   | Signature and Date                           |                                              | Date                     |
| 5 | Name and Citizenship                         |                                              |                          |
|   | Residence Address                            |                                              |                          |
|   | Postal Address (if different from Residence) |                                              |                          |
|   | Signature and Date                           |                                              | Date                     |

Additional inventor name(s) and signature(s) attached?: YES ☐ NO ☒

. . . \* .

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER  
37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

Inventor(s): James H. Falkner  
Title: Method and Apparatus to Facilitate Automated Software Installation on Remote Computers Over a Network  
Filing Date: *not yet filed*  
Serial No.: *not yet assigned*  
Group Art Unit: *not yet assigned*  
Examiner: *not yet assigned*  
Attorney Docket No: SUN-P6376-PIP

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Kenneth Olsen, Registration No. 26,493, Timothy J. Crean, Registration No. 37,116, Joseph T. Fitzgerald, Registration No. 33,881, Alexander E. Silverman, Registration No. 37,940, Anirma R. Gupta, Registration No. 38,275, Sean P. Lewis, Registration No. 42,798, Michael J. Schallop, Registration No. 44,319, Bernice B. Chen, Registration No. 42,403, Noreen A. Krall, Registration No. 39,734, Richard J. Lutton, Registration No. 39,756, Monica D. Ward, Registration No. 40,696, Marc D. Foodman, Registration No. 34,110, Naren Chaganti, Registration No. 44,602, Elaine Lee, Registration No. 41,936, Hugh H. Matsubayashi, Registration No. 43,779, Paul Sorkin, Registration No. 39,039, Marilyn E. Glaubenslee, Registration No. 35,521, Ramin Aghevli, Registration No. 43,462, Andrew C. Chen, Registration No. 43,544, Jeffrey L. Myers, Registration No. 44,252, and Pavel Pogodin, Registration No. 48,205 all of SUN MICROSYSTEMS, INC., and A. Richard Park, Registration No. 41,241, Daniel E. Vaughan, Registration No. 42,199, Hoyt A. Fleming, Registration No. 41,752, and Edward J. Grundler, Registration No. 47,615 all of PARK, VAUGHAN & FLEMING LLP, to prosecute this application and transact all business in the United States and Patent & Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

  X   a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

       the Assignment recorded on            at reel       , frames        -       .

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Please direct all telephone calls and correspondence to: A. Richard Park, Park, Vaughan & Fleming LLP, 508 Second Street, Suite 201, Davis, CA 95616, tel: 530-759-1661.

ASSIGNEE: Sun Microsystems, Inc.

Signature:  August 27, 2001  
(Signature) (Date)

Name: Kenneth Olsen

Title: Vice President, Intellectual Property

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